



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/669,440	09/25/2003	Anna Mansson	1517-1027-1	4237
466 7590 01/25/2007 YOUNG & THOMPSON 745 SOUTH 23RD STREET 2ND FLOOR ARLINGTON, VA 22202			EXAMINER MUSSEY, BARBARA J	
			ART UNIT 1733	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			01/25/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

Application No.

10/669,440

Applicant(s)

MANSSON ET AL.

Examiner

Barbara J. Musser

Art Unit

1733

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-12, 28 and 29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 28 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4-10, 12 and 29 is/are rejected.
- 7) ☒ Claim(s) 3 and 11 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 4, 5, 7-10, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roussel et al.(WP 99/45205) in view of Hoeft et al.(U.S. Patent 6,551,691) U.S. Patent 6,599,614 is considered an English language equivalent for Roussel et al. and all column and line numbers refer thereto.

Roussel et al. discloses a method of making a multilayer web wherein a first web(2) embossed with a pattern is brought into contact with a second web(4), adhesive is applied via a glue transfer roller(54) in contact with a glue application device(55) to the exterior of the second web, and a third web(3) embossed with a pattern is brought into contact with the second web so that the patterns of the embossments line up.(Figure 2) The reference also discloses the process can be performed with two adhesive applicators(Col. 8, ll. 35-38) but does not describe the process in more detail. One in the art reading Roussel et al. would appreciate that adhesive has already been applied between the second and third webs and that the obvious location of a second adhesive applicator would be between the first and second webs since there is no adhesive between them in Figure 2 while there is already adhesive between the second and third webs in Figure 2. This would effectively apply glue to the first web in a pattern

Art Unit: 1733

corresponding to an embossed pattern, bring a second web into contact with the first (Col. 7, ll. 62-64), then apply glue to the second web in a pattern corresponding to the first adhesive pattern since the reference shows the embossments are aligned and all three webs are intended to be bonded together at the embossments, and then bring a third web into contact with the second web.

The reference does not disclose patterned glue transfer rollers having three-dimensional patterns of protuberances. Hoeft et al. discloses it is known to apply glue to webs when forming the same type of article as Roussel et al. using a patterned glue transfer roller having protuberances since this allows application of the adhesive to only part of the embossment surfaces, improving flexibility. (Col. 7, ll. 60-65) It would have been obvious to one of ordinary skill in the art at the time the invention was made to use patterned glue transfer rollers with protuberances in the process of Roussel et al. since this would allow application of the adhesive to only part of the embossment surfaces, improving flexibility. (Col. 7, ll. 60-65)

Regarding claim 2, Roussel et al. shows only one lamination roller (61) after the second glue transfer roll. (Figure 2)

Regarding claim 5, Roussel et al. discloses embossing the first web (2) before contacting it with the second web (4). (Figure 2)

Regarding claims 7 and 8, these appear to be well-known and conventional ranges for the size of the adhesive drop and the number of adhesive locations, and it would have been obvious to one of ordinary skill in the art at the time the invention was made to use any well-known and conventional ranges for the size of the adhesive drops

and the number of drops in an area since they are well-known and conventional. It is noted that the upper range for the size of the drops is over 1 centimeter across, clearly encompassing the well-known drop sizes of multi-layer webs since such conventional materials rarely have drop sizes that large.

Regarding claim 9, since the adhesive can be applied to only part of the embossed pattern and that this improves flexibility, one in the art would appreciate that this would suggest the adhesive patterns are not completely aligned as complete alignment would not appear to improve flexibility.

3. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Roussel et al. and Hoeft et al. as applied to claim 1 above, and further in view of Schulz(U.S. Patent 6,277,226).

The references cited above do not disclose the adhesive pattern between the first and second webs aligning with all of the adhesive pattern between the second and third webs. However, Roussel et al. discloses this process can be used for conventional two-ply tip-to-tip apparatus to form three ply webs.(Col. 8, ll. 27-30) Schulz shows it is known to align all of the protuberances on one web with those on another. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use two embossing rollers in Roussel et al. wherein all of the embossments align so that the glue applied to the embossments would align since Roussel et al. shows this process is can used with conventional two ply apparatus, i.e. would form conventional two ply webs, and Schulz shows a conventional two ply web with aligned embossments.(Figure 2)

Art Unit: 1733

4. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over the references as applied to claim 1 above, and further in view of Schulz(U.S. Patent 4,325,768).

The references cited above do not disclose an additional embossing step after lamination of the embossed webs of Roussel et al. Schulz '768 discloses embossing a multi-layer embossed laminate after lamination of the webs.(Figure 1) This lamination improves softness since it combines closely spaced embossments like those of Roussel et al. with less closely spaced spot embossments.(Col. 1, ll. 51-56) It would have been obvious to one of ordinary skill in the art at the time the invention was made to emboss the multi-layer web after lamination since this would combine the closely spaced embossments of Roussel et al. and Hoeft et al. with relatively large further apart embossments improving the softness and bulk of the web.(Col. 1, ll. 51-56)

#### ***Allowable Subject Matter***

1. Claim 28 is allowed.
2. Claims 3 and 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: regarding claim 3, the prior art of record does not teach or fairly suggest a first lamination roller after the first glue applicator and a second lamination roller after the second glue applicator. The first lamination roller is considered to be opposite(i.e. at the

Art Unit: 1733

same location) as the first glue applicator since the glue would be applied to the embossments, and the embossing roller which forms the embossments acts as the first lamination roller. Regarding claim 11, the prior art of record does not teach or fairly suggest the two adhesives being applied having different chemical compositions or physical properties. Regarding claim 28, the prior art of record does not teach or fairly suggest applying adhesive to unembossed web and joining them together in the order required by the claim.

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1, 2, 4-10, 12, and 29 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barbara J. Musser whose telephone number is (571) 272-1222. The examiner can normally be reached on Monday-Thursday; alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on (571)-272-1226. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1733

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



BJM



**RICHARD CRISPINO**  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 1700